IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

jmi

FIRST APPEAL NO.715 OF 1998.

M/s. Shivshakti Enterprises & Anr. ..Appellants.
v/s.
Miss. Harsha M. Thakkar. ..Respondent.

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Mr.P.N. Karlekar, for Appellants.
Mr. K.D. Jha, for Respondent.

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CORAM : S.J.KATHAWALLA, J.
DATE : 11TH NOVEMBER 2009.

P.C.

This first appeal was admitted on 20th August 1998. It was thereafter, dismissed by an order dated 8th February 2002. The order of dismissal is set aside and the appeal is restored.

2. This first appeal is filed by the appellants (original defendants) from the Judgment and order dated 6th May 1998 passed by the City Civil Court, Mumbai, in summary suit no.6122 of 1998, directing the appellants to pay to the respondent a sum of Rs.15,250/- with further interest at the rate of 18% per annum on the principal sum of Rs.10,000/- from the date of the suit till realisation.

3. The appellants have already deposited an amount of Rs.

12,000/- in the City Civil Court, Mumbai, which amount as per the directions of the City Civil Court, Mumbai is invested in Canara Bank.

4. Parties have now agreed that the first appeal be disposed of by the following order :-

(i) The amount of Rs.12,000/- deposited by the appellants in the City Civil Court, Mumbai, with the Canara Bank alongwith interest accrued thereon, be paid to the respondent in full and final settlement of his claim.

(ii) The Registrar, City Civil Court, Mumbai, is directed to encash the amount of Rs. 12,000/- deposited with the Canara Bank and hand over the same to the appellants alongwith accrued interest thereon, at the earliest.

5. The first appeal is accordingly disposed of with no order as to costs.

[S.J.KATHAWALLA, J.]